

FIRST REGULAR SESSION  
[TRULY AGREED TO AND FINALLY PASSED]  
SENATE COMMITTEE SUBSTITUTE FOR

# SENATE BILL NO. 418

94TH GENERAL ASSEMBLY

2007

1787S.03T

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## AN ACT

To repeal section 208.030, RSMo, and to enact in lieu thereof one new section relating to the supplemental nursing care program.

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*Be it enacted by the General Assembly of the State of Missouri, as follows:*

Section A. Section 208.030, RSMo, is repealed and one new section enacted  
2 in lieu thereof, to be known as section 208.030, to read as follows:

208.030. 1. The division of family services shall make monthly payments  
2 to each person who was a recipient of old age assistance, aid to the permanently  
3 and totally disabled, and aid to the blind and who:

4 (1) Received such assistance payments from the state of Missouri for the  
5 month of December, 1973, to which they were legally entitled; and

6 (2) Is a resident of Missouri.

7 2. The amount of supplemental payment made to persons who meet the  
8 eligibility requirements for and receive federal supplemental security income  
9 payments shall be in an amount, as established by rule and regulation of the  
10 division of family services, sufficient to, when added to all other income, equal the  
11 amount of cash income received in December, 1973; except, in establishing the  
12 amount of the supplemental payments, there shall be disregarded cost-of-living  
13 increases provided for in Titles II and XVI of the federal Social Security Act and  
14 any benefits or income required to be disregarded by an act of Congress of the  
15 United States or any regulation duly promulgated thereunder. As long as the  
16 recipient continues to receive a supplemental security income payment, the

**EXPLANATION—Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.**

17 supplemental payment shall not be reduced. The minimum supplemental  
18 payment for those persons who continue to meet the December, 1973, eligibility  
19 standards for aid to the blind shall be in an amount which, when added to the  
20 federal supplemental security income payment, equals the amount of the blind  
21 pension grant as provided for in chapter 209, RSMo.

22         3. The amount of supplemental payment made to persons who do not meet  
23 the eligibility requirements for federal supplemental security income benefits, but  
24 who do meet the December, 1973, eligibility standards for old age assistance,  
25 permanent and total disability and aid to the blind or less restrictive  
26 requirements as established by rule or regulation of the division of family  
27 services, shall be in an amount established by rule and regulation of the division  
28 of family services sufficient to, when added to all other income, equal the amount  
29 of cash income received in December, 1973; except, in establishing the amount of  
30 the supplemental payment, there shall be disregarded cost-of-living increases  
31 provided for in Titles II and XVI of the federal Social Security Act and any other  
32 benefits or income required to be disregarded by an act of Congress of the United  
33 States or any regulation duly promulgated thereunder. The minimum  
34 supplemental payments for those persons who continue to meet the December,  
35 1973, eligibility standards for aid to the blind shall be a blind pension payment  
36 as prescribed in chapter 209, RSMo.

37         4. The division of family services shall make monthly payments to persons  
38 meeting the eligibility standards for the aid to the blind program in effect  
39 December 31, 1973, who are bona fide residents of the state of Missouri. The  
40 payment shall be in the amount prescribed in subsection 1 of section 209.040,  
41 RSMo, less any federal supplemental security income payment.

42         5. The division of family services shall make monthly payments to persons  
43 age twenty-one or over who meet the eligibility requirements in effect on  
44 December 31, 1973, or less restrictive requirements as established by rule or  
45 regulation of the division of family services, who were receiving old age  
46 assistance, permanent and total disability assistance, general relief assistance,  
47 or aid to the blind assistance lawfully, who are not eligible for nursing home care  
48 under the Title XIX program, and who reside in a licensed residential care  
49 facility, a licensed assisted living facility, a licensed intermediate care facility or  
50 a licensed skilled nursing facility in Missouri and whose total cash income is not  
51 sufficient to pay the amount charged by the facility; and to all applicants age  
52 twenty-one or over who are not eligible for nursing home care under the Title XIX

53 program who are residing in a licensed residential care facility, a licensed  
54 assisted living facility, a licensed intermediate care facility or a licensed skilled  
55 nursing facility in Missouri, who make application after December 31, 1973,  
56 provided they meet the eligibility standards for old age assistance, permanent and  
57 total disability assistance, general relief assistance, or aid to the blind assistance  
58 in effect on December 31, 1973, or less restrictive requirements as established by  
59 rule or regulation of the division of family services, who are bona fide residents  
60 of the state of Missouri, and whose total cash income is not sufficient to pay the  
61 amount charged by the facility. Until July 1, 1983, the amount of the total state  
62 payment for home care in licensed residential care facilities shall not exceed one  
63 hundred twenty dollars monthly, for care in licensed intermediate care facilities  
64 or licensed skilled nursing facilities shall not exceed three hundred dollars  
65 monthly, and for care in licensed assisted living facilities shall not exceed two  
66 hundred twenty-five dollars monthly. Beginning July 1, 1983, for fiscal year  
67 1983-1984 and each year thereafter, the amount of the total state payment for  
68 home care in licensed residential care facilities shall not exceed one hundred  
69 fifty-six dollars monthly, for care in licensed intermediate care facilities or  
70 licensed skilled nursing facilities shall not exceed three hundred ninety dollars  
71 monthly, and for care in licensed assisted living facilities shall not exceed two  
72 hundred ninety-two dollars and fifty cents monthly. No intermediate care or  
73 skilled nursing payment shall be made to a person residing in a licensed  
74 intermediate care facility or in a licensed skilled nursing facility unless such  
75 person has been determined, by his own physician or doctor, to medically need  
76 such services subject to review and approval by the department. Residential care  
77 payments may be made to persons residing in licensed intermediate care facilities  
78 or licensed skilled nursing facilities. Any person eligible to receive a monthly  
79 payment pursuant to this subsection shall receive an additional monthly payment  
80 [of not more than twenty-five dollars] **equal to the Medicaid vendor nursing**  
81 **facility personal needs allowance.** The exact amount of the additional  
82 payment shall be determined by rule of the department. This additional payment  
83 shall not be used to pay for any supplies or services, or for any other items that  
84 would have been paid for by the division of family services if that person would  
85 have been receiving medical assistance benefits under Title XIX of the federal  
86 Social Security Act for nursing home services pursuant to the provisions of section  
87 208.159. Notwithstanding the previous part of this subsection, the person eligible  
88 shall not receive this additional payment if such eligible person is receiving funds

89 for personal expenses from some other state or federal program.

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Bill

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